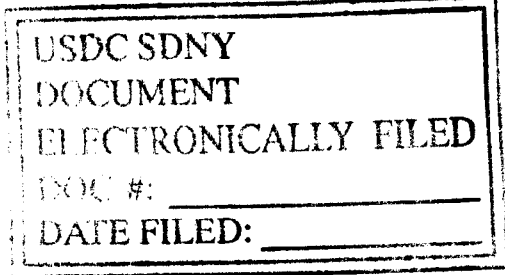


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



LUIS ANGELO OSORIO-SILVA et al.,

Plaintiffs,

-against-

04 Civ. 252 (CM)(MDF)

QUINTESSENCE ALPACAS
INTERNATIONAL, et al.,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT
AS THE DECISION OF THE COURT, DENYING THE
PLAINTIFFS' MOTION FOR A DEFAULT JUDGMENT,
AND SETTING FINAL PRE-TRIAL SCHEDULE

McMahon, J.:

The court has reviewed the careful and thorough Report and Recommendation of The Hon. Mark D. Fox, U.S.M.J., in which he recommends against granting the plaintiffs' motion for a default judgment. I have also considered the objections filed to Judge Fox's Report by plaintiffs and the papers in opposition filed by defendants.

I adopt Judge Fox's Report as the opinion of the Court and decline, in an exercise of my discretion and for the reasons set forth ably by the learned Magistrate Judge, to enter a default judgment against any defendant.

The parties have until July 18, 2006 to complete discovery. All pre-trial papers required by my Local Rules, including witness statements (direct testimony) for all witnesses under the control of the parties, all exhibits (marked), a pre-trial order containing stipulated facts, a complete witness list and all objections to the exhibits, proposed findings of fact and conclusions of law, and trial briefs, shall be filed with the court by September 8, 2006. No extensions will be granted for any reason; if the parties are not happy with this schedule, they can stipulate to trial before Judge Fox. The trial will be held on 48 hours notice at any time after September 15, 2006. Do not expect a great deal of advance notice, as this court schedules bench trials to fill in interstices in the schedule caused by the acceptance of pleas and settlements in jury cases.

This constitutes the decision and order of the court.

Copies mailed / handed / faxed to counsel 5/24/06

Dated: May 23, 2006



U.S.D.J.

BY HAND TO
The Hon. Mark D. Fox

BY FAX TO ALL COUNSEL